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*Attorney for Deorman Levi Stout
and Municipality of Anchorage*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

SAM ALLEN,)	
)	
)	
Plaintiff,)	
)	
vs.)	
)	
CORNELIUS PETTUS, JR.,)	
DEORMAN LEVI STOUT and)	
MUNICIPALITY OF ANCHORAGE,)	
)	
Defendants.)	Case No.
)	

NOTICE OF REMOVAL OF ACTION TO UNITED STATES DISTRICT COURT

Pursuant to the requirements of 28 U.S.C. § 1446, defendants Municipality of Anchorage, and Deorman Levi Stout provide notice of removal of an action from Superior Court, Third Judicial District, State of Alaska, to the United States District Court, District of Alaska. Removal is based on the following grounds:

1. Plaintiff filed a civil action entitled *Sam Allen v. Cornelius Aaron Pettus, Jr., Deorman Levi Stout and Municipality of Anchorage*, Case No. 3AN-21-5572 CI, in Superior

Court, Third Judicial District, State of Alaska on April 28, 2021. Plaintiff's Complaint is attached as Exhibit A.

2. The United States District Court has original jurisdiction over this civil action pursuant to 28 U.S.C. §§ 1331 and 1441 because the Complaint specifically alleges, *inter alia*, that defendants' actions were in violation of 42 USC §1983. *See* Exhibit A.

3. This Notice of Removal is timely under 28 U.S.C. § 1446(b). The Municipality received Plaintiff's Complaint on May 4, 2021. Fewer than 30 days have elapsed since receipt by the Municipality of this initial pleading setting forth claims for relief.

4. Written notice of filing this Notice of Removal will be filed with the Clerk of the Trial Courts, Third Judicial District, State of Alaska and will be served on the plaintiff and defendant Cornelius Pettus.

5. By filing and serving this Notice of Removal, the Municipality does not waive, and hereby expressly reserves, all rights, defenses, and objections, including, but not limited to, the right to seek dismissal of the complaint, including dismissal based on insufficient process.

The Municipality respectfully requests that the above-entitled action be removed from the State of Alaska Superior Court, Third Judicial District, to the United States District Court for the District of Alaska.

Respectfully submitted this 2nd day of June, 2021.

KATHRYN R. VOGEL
Municipal Attorney

By: s/Pamela D. Weiss
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Certificate of Service

The undersigned hereby certifies that on June 2, 2021, a true and correct copy of the foregoing was served on:

Jeffrey Barber
Barber and Associates, LLC
540 E 5th Ave
Anchorage, AK 99501
Email: jeffb@alaskainjury.com

Clinton M. Champion
Sedor Wendlandt Evans Filippi
500 L Street, Suite 500
Anchorage, AK 99501
Email: champion@alaskalaw.pro

by first class regular mail and email, if noted above, or by electronic means through the ECF system.

s/ Amber J. Cummings
Amber J. Cummings, Legal Secretary
Municipal Attorney's Office